

REMARKS

In the final Office action mailed on August 24, 2005, claims 1 and 2 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1 and 2 were also rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,129,477 ("Shoykhet").

By the present amendment, claims 1-2 have been canceled without prejudice, and new claims 3-19 have been added. Applicant respectfully requests reconsideration of the present application.

SECTION 112 REJECTION

With respect to the Section 112 rejection set forth in the final Office action, Applicant respectfully submits that this rejection has been rendered moot by the present amendment which has canceled claims 1 and 2 without prejudice.

SECTION 102 REJECTION

With respect to the Section 102 rejection set forth in the final Office action, Applicant respectfully submits that the Office has misconstrued the cited reference. For example, the final Office action asserts that the Shoykhet patent discloses "a shell (60) to isolate the rotor and stator." However, the Shoykhet patent actually discloses that element (60) is "a stator cavity" formed between a plurality of stator windings. *See* col. 11, lines 59-62. In other words, element (60) in Shoykhet is simply the area between the stator windings (56).

While the Shoykhet patent also discloses a "vacuum jacket 84" (*see* col. 13, lines 28-34), Applicant respectfully submits that this does not show or suggest the presently claimed invention. For example, claim 3 recites that "the shell is welded to the stator poles," and "a portion of each stator pole is located within the shell." The Shoykhet patent, however, does not disclose any part of the stator being welded to, or being located within, the jacket 84.

In addition, the Shoykhet patent discloses that the vacuum jacket 84 "should be formed of stainless steel," which is typically a magnetic material. On the other hand, claims 4 and 5 recite that the shell includes non-magnetic and diamagnetic materials, respectively. The Shoykhet patent also does not disclose a laminated stator pole (as recited in, for example, claim 6), let alone one which is sealed by welding to prevent a gas from leaking through the gaps between the laminated pieces. The Shoykhet patent also does not disclose a gap in the stator pole to allow the portions of the stator pole outside the shell to be removed from the motor, as recited in, for example, claim 7.


Applicant respectfully submits that the claims of the present application are allowable, and respectfully requests that the rejection based on the Shoykhet patent be withdrawn.

CONCLUSION

In light of the above amendments and remarks, Applicant respectfully requests reconsideration and allowance of the application. Should there be any questions, kindly contact the undersigned.

Respectfully submitted,

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